

**REGULAR MEETING OF THE
FRISCO COMMUNITY DEVELOPMENT CORPORATION
BOARD OF DIRECTORS**

**FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
CONFERENCE ROOM 3A
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

6:30 P.M.

THURSDAY, MAY 20, 2010

MINUTES

CALL TO ORDER

President Hunt Reifschneider called the meeting to order at 6:30 p.m. Board members present included President Hunt Reifschneider, Vice-President Allen Biehl (arrived at 6:40 p.m.), Treasurer Keith Wright, Secretary Cynthia Hurley, Director Gary Carley, Director Craig Moen and Director Marc Robertson.

City Staff present included City Manager George Purefoy, Deputy City Manager Henry Hill, Assistant City Manager Ron Patterson, Assistant City Manager Nell Lange, Director of Parks and Recreation Rick Wieland, Planning and Business Development Manager Dudley Raymond and Strategic Services Manager / Assistant to the City Manager John Eaglen.

Also in attendance was Valerie Wigglesworth, Dallas Morning News reporter.

CITIZEN INPUT

There was no citizen input submitted at the meeting.

ROUTINE BUSINESS

1. Consider and act upon approval of the Minutes of the April 15, 2010 Regular Meeting, the April 15, 2010 Joint Community Development Corporation Board of

Directors / Parks and Recreation Board Meeting and the April 19, 2010 Special Meeting of the Board.

Gary Carley moved to approve the minutes April 15, 2010 Regular Meeting, the April 15, 2010 Joint Community Development Corporation Board of Directors / Parks and Recreation Board Meeting and the April 19, 2010 Special Meeting of the Board. Keith Wright seconded the motion, and the motion was unanimously approved 7-0.

Vice-President Allen Biehl arrived at 6:40 p.m.

2. Monthly Report on the Construction and Status of Capital Projects within the Parks and Recreation Department.

Planning and Business Development Manager Dudley Raymond briefed the Board of Directors on the status of Parks Capital Projects, including a construction status update on Beavers Bend and Hummingbird Parks and Hike and Bike Trail construction in the City. Highlights of the Board of Directors' discussion included clarification on the Beavers Bend and Hummingbird Parks projects and questions on the status and the scope of addressing the Legacy Drive slope failure.

3. Financial and budgetary update.

Assistant City Manager Nell Lange briefed the Board of Directors on the information provided in the Financial and Budgetary Update; Assistant City Manager Lange announced that City staff would be bringing preliminary Fiscal Year 2010-2011 budget numbers to the Board at next month's meeting. Highlights of the Board of Directors' discussion included driving factors of the City's March sales tax collections, future growth forecasts for the City, questions about an upcoming Fiscal Year 2009-2010 Budget Amendment, questions regarding the CDC's April expenditures and a discussion regarding sales tax collections in neighboring cities. City staff will begin providing information in the monthly financial and budgetary update regarding sales tax collections in neighboring cities.

REGUALR AGENDA

4. Consider and act upon approval of an Assignment Agreement for the assignment of the AIA Document B101 – 2007, Standard Form of Agreement Between

Owner and Architect for professional services related to the adaptive reuse of the Frisco Community Development Corporation ("FCDC") building located at 8000 North Dallas Parkway from the City of Frisco to the FCDC (CMO/RP).

Assistant City Manager Ron Patterson briefed the Board of Directors regarding the proposed agreement and explained that this item is an assignment of the contract with architect BOKA Powell from an agreement with the City to an agreement with the Community Development Corporation. Highlights of the Board of Directors' discussion were questions regarding the scope of the Assignment Agreement.

Cynthia Hurley moved to approve the Assignment Agreement. Craig Moen seconded the motion, and the motion was unanimously approved 7-0.

5. Consider and act upon approval of Amendment Number One to AIA Document B101 – 2007, Standard Form Agreement Between Owner and Architect to reduce scope of services and fees related to the adaptive reuse of the Frisco Community Development Corporation ("FCDC") building located at 8000 North Dallas Parkway (CMO/RP).

Assistant City Manager Ron Patterson briefed the Board of Directors on the proposed reduction in the scope of services and the architect's fees under the Agreement with BOKA Powell. Assistant City Manager Patterson also reviewed the recent field changes on the work associated with the adaptive reuse of the CDC Building currently under construction and showed some construction progress photos. Highlights of the Board of Directors' discussion included the status of a requested field change to include a pass-through countertop structure in the vending area/break room and the status of finalizing colors, carpeting and finishes for the CDC Building.

Craig Moen moved to approve the Amendment Number One to the AIA B101 – 2007, Standard Form Agreement with BOKA Powell. Marc Robertson seconded the motion, and the motion was unanimously approved 7-0.

6. Discuss and give staff direction on the naming alternatives for the CDC Building.

Assistant City Manager Ron Patterson briefed the Board of Directors' on the proposed naming alternatives for the CDC Building and reminded the Board that due to the construction schedule for the adaptive reuse of the CDC Building, the signage for the facility would need to be ordered after the June Board of

Directors meeting. Highlights of the Board of Directors' discussion included selection of the top four (4) alternatives, questions regarding the timing of approval of the naming for the CDC Building and how it fits in with the construction schedule of the facility, discussion about BOKA Powell's top naming alternatives, questions about the future uses of the building, questions about the scope of the naming decision (is this for all 150,000 square feet of the building or the portion associated with the adaptive reuse project totaling 50,000 square feet), and a discussion regarding adopting a regional branding of the building name.

After discussion, the consensus of the Board of Directors was that they would individually submit their preferred naming alternative to Assistant City Manager Patterson and that Mr. Patterson would collate the top alternatives for the Board's consideration at the June Regular Meeting.

7. Discussion regarding the development of a maintenance and operations plan for the CDC Building.

Assistant City Manager Ron Patterson briefed the Board of Directors regarding the next steps regarding the development of a maintenance and operations plan for the CDC Building. In looking at alternatives for the maintenance and operations of the CDC Building, City staff believes that it is more cost efficient for the CDC to enter into an agreement with the Frisco Association for the Arts (FAA), and that the FAA would assume the responsibility for the maintenance and operations of the facility. City staff held a meeting with the FAA to discuss this alternative, and all parties left the meeting believing that the FAA is an organization capable of providing the maintenance and operations of the facility.

Highlights of the Board of Directors' discussion included if the FAA would move into the CDC Building, questions regarding how Sci-Tech would fit into this facility operations model, questions about how the ticketing for multiple tenants would be handled, questions regarding the operational subsidy that would be provided by the CDC, questions regarding the financial responsibilities of the facility operator and if office space would be provided to the FAA, a discussion regarding the financial trade-offs to the FAA regarding assuming responsibilities for the maintenance and operations of the facility compared to the space provided to the organization in the facility, questions about the legal standing of the FAA, questions about the staffing levels of the FAA, discussion regarding the CDC's ability to manage and operate the facility, questions about potential conflicts between the FAA and Sci-Tech related to FAA serving as both a tenant

and the facility operator, a discussion regarding structuring the CDC's operational subsidy as a fixed amount, and questions about how the CDC's current payments on the operation of the facility would be revised upon entering into an agreement with FAA to serve as the facility operator.

After discussion, the consensus of the Board of Directors was for City staff to continue pursuing the Building Operational Model as outlined and working with the Frisco Association for the Arts on a Facility Operations Agreement.

8. Discussion regarding alternatives for ticket pricing for the future activities within the CDC Building.

Hunt Reifschneider discussed potential alternatives for the structure of the ticket pricing for the future activities in the CDC Building; an example would be to add a \$1.00 charge that would come back to the CDC and then be distributed to community organizations in exchange for the space provided to the organizations in the facility.

Highlights of the Board of Directors' discussion included a discussion regarding the Facility Operations Agreement with the Frisco Association for the Arts, the ability of local theatre groups to be able to charge an additional amount for their programs, the FAA's current scholarship program, the elasticity of ticket pricing for Sci-Tech versus for the Black Box Theatre, a discussion of Sci-Tech's community contributions, a discussion of the concept for the CDC to give money back to the community in exchange for space provided to the tenants in the CDC Building, a discussion of printing on the facility tickets that a portion of the proceeds goes to the FAA, and the potential to look further at a ticketing structure that would increase the FAA's ability to grant more scholarship awards.

After discussion, the consensus of the Board of Directors was for City staff to further develop the ticket pricing structure to provide proceeds to the community, and if this is already being accomplished with the Facilities Operations Agreement with the Frisco Association for the Arts, for City staff to develop a plan for communicating this contribution to the community. City staff is to further develop this idea and bring this item back to the Board of Directors at the June Regular Meeting.

9. Discussion regarding supplemental funding for a City Dog Park facility.

Craig Moen moved that this agenda item be tabled. Allen Biehl seconded the motion, and the motion was unanimously approved 7-0.

10. Discussion regarding future agenda items.

The Board of Directors discussed the following items to be placed on a future meeting agenda:

- Action item regarding the naming of the CDC Building (June 2010);
- Alternatives regarding the development for ticket pricing for the future activities within the CDC Building (June 2010);
- Supplemental funding for a City Dog Park Facility (June 2010).

CLOSED SESSION

11. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

A. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

- i. South of US 380, North of The Colony city limits and North of SH 121, East of FM 423 and west of Hillcrest Road.

Craig Moen moved to recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit: Section 551.072, to deliberate the purchase, exchange, lease or value of real property at 7:55 p.m. Allen Biehl seconded the motion, and the motion was unanimously approved 7-0.

12. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Cynthia Hurley moved to reconvene into Regular Session and to take any action necessary as a result of the Closed Session at 8:10 p.m. Craig Moen seconded the motion, and the motion was unanimously approved 7-0.

- A. Consider and act upon authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between 720 Preston Trace, L.P. and the Frisco Community

Development Corporation covering 4.032 acres of land in the Ralph Rogers Survey, Abstract No. 763, City of Frisco, Collin County, Texas, being the same property conveyed to 720 Preston Trace, L.P. by deed dated October 31, 2005, and recorded in Volume 6038, Page 1431, Land Records, Collin County, Texas.

Gary Carley moved for approval of authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between 720 Preston Trace, L.P. and the Frisco Community Development Corporation covering 4.032 acres of land. Cynthia Hurley seconded the motion, and the motion was unanimously approved 7-0.

- B. Consider and act upon authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between Thomas D. Vogt and the Frisco Community Development Corporation covering 4.7680 acres of land in the Clayton Rogers Survey, Abstract No. 764, City of Frisco, Collin County, Texas, and being the same property conveyed to Thomas D. Vogt by deed dated March 31, 2007, and recorded in Document No. 20070606000766950, Land Records, Collin County.

Cynthia Hurley moved for approval of authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between Thomas D. Vogt and the Frisco Community Development Corporation covering 4.7680 acres of land. Allen Biehl seconded the motion, and the motion was unanimously approved 7-0.

- C. Consider and act upon authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between Kriscor Ruski Limited Partnership and the Frisco Community Development Corporation covering 7.8476 acres of land in the Ralph Rogers Survey, Abstract No. 763, and in the Clayton Rogers Survey, Abstract No. 764, City of Frisco, Collin County Texas, being the same property conveyed to Frisco Joint Venture, recorded in Volume 2680, Page 666 Deed Records, Collin County, Texas.

Marc Robertson moved for approval of authorization for the City Manager to take all actions necessary to consummate the closing of that certain Real Estate Sales Contract between Kriscor Ruski Limited Partnership and the Frisco Community Development Corporation covering 7.8476 acres of land.

Keith Wright seconded the motion, and the motion was unanimously approved 7-0.

ADJOURN

Allen Biehl moved to adjourn. Craig Moen seconded the motion, and the motion was unanimously approved 7-0. The meeting was adjourned at 8:11 p.m.

ATTEST:

Hunt Reifschneider, President

Please note that this is an Action Summary of the meeting and that the meeting minutes are not official until approved by the Frisco Community Development Corporation Board of Directors at their next scheduled meeting. Approved / signed minutes are available at <http://sire.friscotexas.gov/sirepub/docs.aspx>.